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November 4, 2019

**VIA REGULAR MAIL**

Honorable Madeline Cox Arleo, U.S.D.J.  
United States District Court  
District of New Jersey  
Martin Luther King Building  
& U.S. Courthouse  
50 Walnut Street, Room 4015  
Newark, New Jersey 07101

**Re: *Thomas Roger White, Jr., et al. v. Samsung Electronics  
America, Inc. and Sony Electronics Inc.***  
**Civil Action No. 17-cv-1775 (MCA) (JAD)**

Dear Judge Arleo:

This firm, together with Covington & Burling LLP, represents Defendant Samsung Electronics America, Inc. in the above-referenced matter. We write concerning Samsung's Motion (joined by Defendant Sony Electronics Inc.) for Reconsideration of the Court's Order dated August 21, 2019, or alternatively certifying the Order (as to Plaintiffs' Wiretap Act claim) for purposes of immediate appeal. ECF No. 105, 106. The Motion has a return date of November 11, 2019.

Because Local Civil Rule 7.1(d)(3) requires that a party seek the Court's permission to file a reply *on reconsideration*, we respectfully submit this letter requesting the Court's permission to file a very brief Reply in further support of the Motion. In order to move this matter forward without further delay, Samsung's Reply Brief addresses both Section 1292(b) certification and *reconsideration*, and was filed today, and we respectfully request that the Court consider the Reply when deciding the Motion.

Samsung respectfully submits that a Reply on Reconsideration is appropriate here for several reasons. The Reply Brief on all issues (including certification) is short, and Samsung believes a response to the arguments made in Plaintiffs' Opposition is necessary and will clarify the issues and assist the Court in resolving the Motion. The need for clarification applies equally to the motion for reconsideration and the alternative request for certification under 28 U.S.C. § 1292(b), and thus Samsung believes a Reply on all issues would be most efficient and helpful to the Court. Granting this application would cause no prejudice to Plaintiffs and would cause no delay.

We thank Your Honor for your kind consideration of this matter.

Respectfully submitted,

GIBBONS P.C.

Honorable Madeline Cox Arleo, U.S.D.J.

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/s Michael R. McDonald

Michael R. McDonald

Enclosures

cc: All Counsel via ECF